

California Regional Water Quality Control Board
North Coast Region

Cleanup and Abatement Order No. 99-14

for

Shiloh Group LLC
Fred Zurilgen III, Inc.
Fred Zurilgen
Ralph Rasley
and
Redwood Sanitary Service

Town of Windsor

Sonoma County

The California Regional Water Quality Control Board, North Coast Region (hereinafter the Regional Water Board) finds that:

1. Fred Zurilgen III, Inc., leases property in Windsor at 930 Shiloh Road, and Fred Zurilgen and Ralph Rasley, dba Redwood Sanitary Service, operate a septage treatment and chemical toilet treatment facility at the site, including operating a press to separate solids from the liquid waste water. The solid waste reportedly was disposed to a landfill in Marin County, and the liquid waste reportedly was disposed to the waste water treatment plant operated by the City of Santa Rosa. The property is currently owned by The Shiloh Group LLC. T. J. Nelson is the manager of The Shiloh Group LLC.
2. On April 30, 1999, a fire at the Redwood Sanitary Service facility in Windsor resulted in the discharge of at least 20,000 gallons of waste including, but not limited to, septage, hydrated lime, Premier Plus® chemical toilet deodorant, and associated disinfectants and chemicals to Pruitt Creek, tributary to Pool Creek, thence to Windsor Creek, Mark West Creek and the Russian River. The discharge of these wastes affected the beneficial uses of Pruitt Creek and Pool Creek, resulting in a loss of fish and other aquatic life for over 0.5 miles downstream of the discharge to Pruitt Creek.
3. Fred Zurilgen III, Inc., Fred Zurilgen, Ralph Rasley, Redwood Sanitary Service, and The Shiloh Group LLC are hereinafter known as the dischargers. If additional responsible parties are identified, this Order may be amended to include those parties as dischargers.
4. Discharged waste remains in Pruitt and Pool Creeks. The waste discharges during and subsequent to the fire have affected and threaten to continue to affect beneficial uses unless these waste discharges and threatened discharges are cleaned up and abated.
5. The beneficial uses of Pruitt Creek, Pool Creek, Windsor Creek, Mark West Creek and the Russian River include:
 - a. municipal and domestic supply
 - b. industrial service supply

- c. water contact recreation
 - d. noncontact water recreation
 - e. cold freshwater habitat
 - f. wildlife habitat
 - g. fish migration
 - h. fish spawning
6. Beneficial uses of areal groundwater include municipal, domestic, and industrial supply.
 7. Water quality objectives exist to ensure protection of the beneficial uses of water. Several beneficial uses of water exist, and the most stringent water quality objectives for protection of all beneficial uses are selected as the protective water quality criteria. Alternative cleanup and abatement actions need to be considered that evaluate the feasibility of, at a minimum: (1) cleanup to background levels, (2) cleanup to levels attainable through application of best practicable technology, and (3) cleanup to protective water quality criteria levels.
 8. The dischargers have caused or permitted, cause or permit, or threaten to cause or permit waste to be discharged or deposited where it is discharged to waters of the State and create, or threatens to create a condition of pollution or nuisance.
 9. Reasonable costs incurred by Regional Water Board staff in overseeing cleanup or abatement activities are reimbursable under Section 13304 of the Califor 11 Water Code
 10. This enforcement action is being taken for the protection of the environment and, therefore, is exempt from the provisions of the Califor 11 Environmental Quality Act (Public Resources Code, Section 21000 et seq.) in accordance with Sections 15308 and 15321, Chapter 3, Title 14 of the Califor 11 Code of Regulations.

THEREFORE, IT IS HEREBY ORDERED that, pursuant to Califor 11 Water Code Sections 13267(b) and 13304, the dischargers shall cleanup and abate the wastes discharged and threatened to be discharged at the site and shall:

1. Cease forthwith any further discharge of waste to Pruitt and Pool Creeks.
2. The discharger shall immediately take action to remove the discharged wastes from Pool Creek and dispose of the wastewater in an approved waste receiving facility.
3. The dischargers shall submit a sampling plan by May 6, 1999, to assess the impact of the waste discharges on sediments in Pruitt and Pool Creeks, and implement the plan within 24 hours of concurrence with the plan by the Executive Officer.
4. The dischargers shall submit a plan to evaluate the onsite and off site subsurface drains and remove and mitigate any wastes discharged therein by May 10, 1999, and shall implement the plan within 24 hours of concurrence by the Executive Officer.

1999, up and shall implement a verification monitoring plan immediately upon

5. The dischargers shall submit a report of the monitoring plan within seven days of